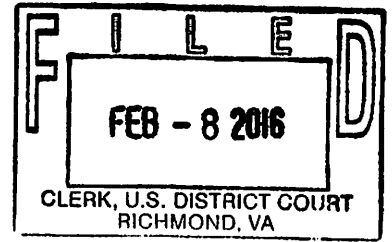


IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division



REDOUANE GOULMAMINE, M.D., and
MIDLOTHIAN REHABILITATION
ASSOCIATES, LLC d/b/a/
The Petersburg Spine Center,

Plaintiff,

v.

Civil Action No. 3:15cv370

CVS PHARMACY, INC.,

Defendant.

ORDER

Having considered DEFENDANT'S PARTIAL MOTION TO DISMISS COUNT II OF PLAINTIFF'S FIRST AMENDED COMPLAINT (Docket No. 25) and the associated papers, it is hereby ordered that DEFENDANT'S PARTIAL MOTION TO DISMISS COUNT II OF PLAINTIFF'S FIRST AMENDED COMPLAINT (Docket No. 25) is granted in part and denied in part. The motion is granted as it pertains to Count II of the Amended Complaint (Docket No. 22) to the extent that Count II raises a claim for Intentional Interference With Contract and that aspect of Count II is dismissed upon the agreement of the Plaintiff and it is dismissed with prejudice. The motion is denied as to that part of Count II that alleges Tortious Interference With Business Expectancy because the motion does not seek dismissal of that aspect of Count II which is dismissed with prejudice as it pertains to tortious interference with

contract. The Defendant's request for an award of costs and fees as presented only in its brief is denied because that relief is not sought by the motion and is unsupported by citation of legal authority.

It is further ORDERED that the facts and legal contentions are adequately presented in the materials before the Court and oral argument would not aid the decisional process.

It is so ORDERED.

/s/ REP
Robert E. Payne
Senior United States District Judge

Richmond, Virginia
Date: February 5, 2016